

### REMARKS

Claims 1-32 are pending in the application.

Claims 1-31 are allowed.

Claim 32 has been rejected under 35 U.S.C. 103(a) as unpatentable over Eriksson et al. (US 6,243,384), previously cited in view of Olson et al. (US 4,679,189) (hereinafter Olson).

In the Office Action it is argued that Olson teaches: wherein, with respect to forwarding packets, a packet route selected by said first routing unit is used when a failure of a packet route selected by said first routing unit does not occur, and the packet route selected by said second routing unit is used when a failure of the packet route selected by said first routing unit occurs.

As described below Olson teaches in the normal case fixed routing is executed. On the failure of a path alternate routing is executed based on information in the Packet. But Olson only discloses that an output path different from an output path of the fixed routing is selected for alternate routing upon failure.

Olson describes in Fig. 15 storing in a Packet identifiers of link and logical channels (x, y) and an identifier of routing algorithm (AR bit). In a node, if a value of the AR bit is "0", fixed routing is executed according to the algorithm 1 corresponding to the AR bit "0", information of output path (x', y') corresponding to the identifiers (x, y) is read from the RAM 205 in the node, and the packet sent to the output path.

On the other hand, if the value of the AR bit is "1", according to the algorithm 2 (algorithm provided on the failure of a path) corresponding to the AR bit "1" a table in the RAM 205 corresponding to a value of ARF (Alternate Routing Field) stored in the packet is specified and the packet is sent to the output path based on identifiers in the table x'1, y'1).

Therefore Olson only teaches fixed routing is executed and upon failure of a path, alternate routing is executed based on information in the Packet. Olson only discloses that an output path different from an output path of the fixed routing is selected for alternate routing upon failure.

Additionally Olson fails to teach or suggest that a route used according to algorithm 1 is “a route for guaranteeing a communication quality of the packet,” and a route used according to algorithm 2 is a “route for securing reachability of the packet.” The features as particularly recited in claim 32.

Namely, Olson fails to teach or suggest kinds or types of the routes that are used on the fixed routing and alternate routing. The combination of references fails to suggest these features and further applicant’s unique combination of features is not suggested in the two references.

Eriksson discloses that a route based on a predetermined condition is selected from the consolidated table merged in the static routes and the routes automatically generated by PNNI.

Eriksson fail to teach or suggest such a feature. For example Eriksson et al. fail to mention that the packet route selected by the second routing unit is used when a failure of the packet route selected by the first routing unit occurs and the route for securing reachability of the packet.

Also first “a route for guaranteeing a communication quality of the packet,” is selected for use.

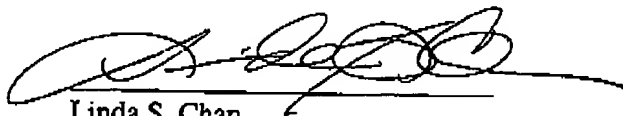
It is respectfully submitted that the combination of references fails to teach each and every claimed feature. The combination only provides some disclosure of selecting a fixed route from the consolidated table, and a different route upon failure of the fixed route from the consolidated table. There is no suggestion of applicant’s claimed features.

For at least the foregoing reasons it is respectfully submitted that the rejection of claim 32 should be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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Docket No.: FUJY 18.257 (100794-11600)  
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